

INCLUSIVE VULNERABILITY MAPPING & MONITORING OF POST DISASTER RESPONSE (IVM & MPDR)

Towards Developing a Methodology and Template for Field Practice
(A Process to ensure Dalit and Gender Inclusion)



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INCLUSIVE

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(A Process to ensure Dalit and Gender Inclusion)

A joint initiative of:

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About

National Dalit Watch-NCDHR

The National Dalit Watch (NDW), part of the National Campaign on Dalit Human Rights (NCDHR/SWADHIKAR), emerged from an informed recognition of the rampant discrimination and exclusion faced by Dalit communities during disaster response and mitigation, particularly during the Gujarat Earthquake, Tsunami and Kosi floods in India. It was formally instituted in 2009 to work for Equity and Inclusion (of Dalits) in Disaster Response and Disaster Risk Reduction. NDW engages in monitoring caste-based discrimination in disaster situations for evidence based advocacy and lobby for inclusive policies and guidelines on disaster management.

The National Campaign on Dalit Human Rights (NCDHR) started in 1998 as a network of organisations and individuals across the country. It is committed to the elimination of discrimination based on caste, and collaborates with various groups led by Dalit women and men activists, with support and solidarity from organizations, academics, individuals, people's organizations and institutions throughout the country.

UNNATI- Organisation for Development Education

UNNATI is an issue-based, strategic educational support organisation, working in Western India with people's collectives, NGOs, elected representatives in local governance and the government. Collaborative research, public education, advocacy, direct field level mobilisation and implementation with multiple stakeholders are the key instruments of its work.

UNNATI facilitates adoption of sustainable and affordable innovations in the field and research to promote community-based practices for disaster risk reduction. The activities include action research on current community practices, documentation of best practices and research and advocacy on disaster response policies and packages. It is UNNATI's endeavour to build an academy for community leaders, especially Dalits and women, so that they can effectively address local issues.

Our objectives:

- Ensure a truly inclusive disaster preparedness and response mechanism.
- Get in place a system that ensures equitable recovery and rehabilitation.
- Advocate legislation, policies and guidelines that recognize caste and gender discrimination and thereby make it imperative for the state and its agencies to have a special focus on the inclusion of Dalits and other marginalized communities.

It is ascertained that

The division of a society into castes is a global phenomenon not exclusively practised within any particular religion or belief system. A large numbers of people affected by disasters are excluded due to various forms of vulnerabilities created by social stratification and discrimination imposed by caste, gender, age, ethnicity and sometimes religion. Such discrimination and exclusion that exist in society is magnified during disasters.

Dalits and other most deprived and excluded communities are more vulnerable to the impact of disasters and less able to recover without support. The societal processes often deny relief and rehabilitation benefits to Dalits. Thus, 'Discrimination by default' in Disaster Response and Risk Reduction (DR & DRR) becomes as much an issue as discrimination by norm and intent and is prevalent both within civil society and administration.

Over the years, principles and means for achieving disaster resilience among the vulnerable and deprived communities is laid down and agreed upon in Hyogo Framework for Action, the Sphere Humanitarian Charter, and other such (national) standards, which need to be transformed into social policies and operational mechanisms for the respective organizations in addressing exclusion.

All human beings are born free and equal in dignity and rights (Article 1 of the Universal Declaration of Human Rights from 1948). Therefore, Dalit rights violation should be paid adequate attention and mainstreamed into the humanitarian programmes of the civil society and the government.

To make this inclusion possible, the very first step is to have the knowledge of their pre-existing vulnerabilities of Dalits that get worsened in disasters. After this knowledge one can proceed to design need based intervention for these communities and groups to make them resilient and their programmes inclusive, thus the need for this manual.

PREFACE

People's vulnerability to disasters depends on their social, cultural, economic and political environment. The marginalisation of 'lower' castes gets magnified in disasters due to historically pre-existing practices of untouchability and notions of pollution and purity. Monitoring studies conducted by National Dalit Watch (NDW) and its state allies during past natural disasters, including tsunami (2004), Bihar floods (2007 and 2008), Assam floods over several years (particularly 2009 and 2011), Andhra Pradesh and Karnataka floods (2009), Yamuna floods in Delhi (2010), Thane cyclone in Tamil Nadu (2011) and Odisha floods (2011-12) have highlighted the degree to which, by virtue of the inherent socio-economic vulnerability, Dalits¹ and women have been systematically excluded from relief and rehabilitation efforts. There are varied forms of discrimination these groups face during disasters. These forms include the neglect of the authorities to account for their losses; unjust and cumbersome procedures for proving losses in order to claim compensation; exclusion from enumeration for compensation; and low priority to reach out to Dalit hamlets. Even information, early warnings and government relief and rehabilitation programmes remain outside the purview of the Dalit community. Moreover, any assertion for rights has resulted in physical violence against Dalits from dominant castes.

To understand and track the ways in which caste influences disaster situations becomes primary in order to carve out a strategy that reaches out to these socially excluded and discriminated communities. The past experience of assessing relief and rehabilitation coverage has identified many glaring gaps

1 Caste-affected communities do not use one single term to describe themselves. The terms used vary from country to country. Here the term Dalit refers to caste-affected members, also known as 'untouchables' and/or Scheduled Castes, and members of other communities affected by similar forms of discrimination based on work and descent. The United Nations terminology for caste discrimination is "discrimination based on work and descent". For country-wise terminology visit <http://idsn.org/caste-discrimination/terminology/>

in terms of reaching out to Dalits and marginalised women. The manual intends to assist community volunteers/frontline personnel in assessing the causes of vulnerability of the socially excluded sections. This should thereby begin the process of ensuring the inclusion of Dalits and women in terms of reaching to them pertinent Disaster Relief and Disaster Risk Reduction (DR & DRR) actions.

The tools will help humanitarian agencies to develop inclusive programmes after having conducted an assessment in peace times. These agencies would be thereby equipped to assess the gaps in existing outreach programmes and build measures to plug those gaps. So far, the application of the IVM & MPDR has led to the generation of empirical data on the various forms of exclusion taking place and the families left out from systematic assessment and later enumeration for compensation and entitlements.

There is a need to scale up and popularise this Manual on the basis of field applications and findings, by adapting it to the local context. This will enable the strengthening of marginalised communities to engage with local authorities on their entitlements and long-term risk reduction processes through handholding and guidance from local organisations. Looking at the outcome of these tools and the determination of the community to struggle for their immediate and long term rights and entitlements, and to hold the authorities accountable to them and the Constitution, this Manual is brought out primarily for the Disaster Risk Reduction sector.

Let us build connections, work together, raise and collectively address issues to create a resilient community, reaching out to the most marginalised.

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CONTEXT

Social Vulnerabilities of Dalits

The mapping of the vulnerabilities of Dalits to hazards includes a deeper look into their pre-existing vulnerabilities augmented by changing forms of untouchability practices and discrimination in the era of globalisation. Caste discrimination continues in varied forms, sometimes in hidden forms, or forms not easily understandable to people. For Dalits and women, caste and gender based discrimination and violence are like shadows on their existence and way of life. This is due to the caste and patriarchal norms prevailing in society over centuries. For women, they become victims of gender and caste. Caste and gender based discrimination gets magnified and multiplied into various forms of exclusion in situations of natural disasters. The pre-existing socio-political and economic vulnerabilities of Dalits are as below:

Locational vulnerability of Dalits

Dalits continue to live in secluded habitations outside the main village, thereby having lower access to information, public education, disaster resilient infrastructure or communication for immediate action. Moreover, their habitations are usually located in low lying areas where the storm water and drainage get collected. They have poor quality housing, lack access to drinking water sources and drainage facilities. By the very location, Dalits are vulnerable to hazards and diseases. Poverty, malnutrition, poor health conditions along with increasing disaster risks push Dalit from poverty to chronic poverty. Combined with these unhealthy living conditions, they are most prone to suffer the outbreak of diseases in times of disaster.



Economic vulnerability

Landless Dalit households who are sharecroppers or dependent on wage labour and agricultural labour in the lands of dominant caste groups are particularly vulnerable to the effects of hazards. The poor implementation of minimum wage standards across the different states of India and general void of social security measures forces Dalits to earn their livelihood on a day to day basis with no back up mechanisms. In this situation, in disasters they lose their immediate employment opportunity. Being share croppers who don't have land titles, they are then systemically denied any compensation for crop and wage losses, while the landlords gets the compensation. This pushes Dalits into distress migration to other states. Such a fragile socio-economic condition often weakens their coping capacities and exposes them to the vicious cycle of bonded labour, human trafficking, child labour and other distressed forms of living. Hence, Dalits cannot recover without the much needed assistance from the humanitarian agencies and the government. Unfortunately, this assistance often doesn't reach them due to biased targeting. This manual seeks to contribute to changing this situation.



PART 1

INTRODUCTION TO THE INCLUSIVE VULNERABILITY MAPPING & MONITORING OF POST DISASTER RESPONSE (IVM-MPDR) MANUAL

1. About the tools

The frameworks used for damage assessment, whether the Government of India's, National Disaster Response Fund/State Disaster Response Fund (NDRF/SDRF) norms or the UN Post Disaster Needs Assessment (PDNA), combined with the World Bank focussed Damage and Loss Assessment (DALA) and European Commission supported Human Recovery Needs Assessment' (HRNA), look into the physical losses. They do not focus on the people's suffering because of discrimination and prejudices in the post-disaster period.

For a comprehensive and inclusive recovery and rehabilitation of affected communities, it is crucial to include the structural causes, i.e., caste, into the assessments, to understand vulnerability. Even the disaster management practices focus on mapping and technical data collection on geographical zones. Left out are the communities that suffer owing to their social vulnerability. The Village Disaster Management Plans (VDMP) use generic vulnerability assessment frameworks in terms of elements at risk (WHO are at risk?), without mentioning how the risk factor multiplies with the social factors of where the most vulnerable to risk are located. This throws up the need for pre-disaster vulnerability assessment. Therefore, being mindful of the varying priorities of humanitarian agencies, adaptation of the tools in this manual will enable agencies to identify the specific needs of marginalised groups. In doing so, agencies will be invoking the principle of social justice, which gets neglected in post disaster situations.

The tools are primarily designed for use by community workers and community volunteers (preferably Dalits themselves and/or mixed groups), facilitated by local community-based organisations. This manual is for community leaders to use the tools by further simplifying and also translating them into the vernacular languages.

2. Evolution of the Tools

The IVM-MPDR tools have been developed over a series of consultations with various humanitarian stakeholders viz. Sphere India, European Commission for Humanitarian Organisation (ECHO), United Nations Development Project (UNDP)-India, National Disaster Management Authority (NDMA) of India and Cordaid CMDRR (Community Managed Disaster Risk Reduction) India partners and various national and international humanitarian organisations. The aims are to (i) develop a clear conceptual and practical understanding of the exclusion of Dalit communities in disasters and to learn the methods to monitor and record such practices of exclusion; and (ii) to equip the state/ organizational/ community workers with a means of assessing the level of inclusion of these communities in DR&DRR programmes.

In the process, it is expected that the communities will be able to identify the key government authorities obligated to meet their needs and demands for Disaster Response, Recovery and

Mitigation. Moreover, the use of the tools will empower the local communities to demand their entitlements. They will be able to mobilise for collective action to demand redress structures and mechanisms from the state.

2.1. Objectives of the Manual

The manual should enable the Dalit communities to:

1. Develop a shared understanding of their entrenched vulnerabilities, which make them susceptible to the after-effects of a natural disaster.
2. Identify the relevant state authorities that are accountable and responsible for executing and facilitating the process of relief and rehabilitation.
3. Gain knowledge about their rights to relief and rehabilitation good and services.
4. Enable the process of communities demanding entitlements from the government.*

Note:

*At the organisational level, it would be ideal to identify action points for sustained advocacy based on issues that emerge out of the application of the tools herein the Manual.

The identified action points, if adopted by a coalition of organisations, can take the shape of collective advocacy at different levels with humanitarian agencies including the State. Advocacy measures, backed by reliable information and data, have the potential to change/alter the administrative framework for relief and rehabilitation. This change would be achieved by including preventive measures against caste discrimination in disasters and ensuring the realisation of entitlements for the victims.



PART 2

VULNERABILITY MAPPING & INCLUSION MONITORING IN THE FIELD

1. Vulnerability Mapping (VM)
2. Monitoring Inclusion in Disaster Response
3. Identifying Advocacy Issues
4. Legal Tool to Strengthen Community Driven Advocacy
5. Periodic Work Review

1. Vulnerability Mapping (VM)²

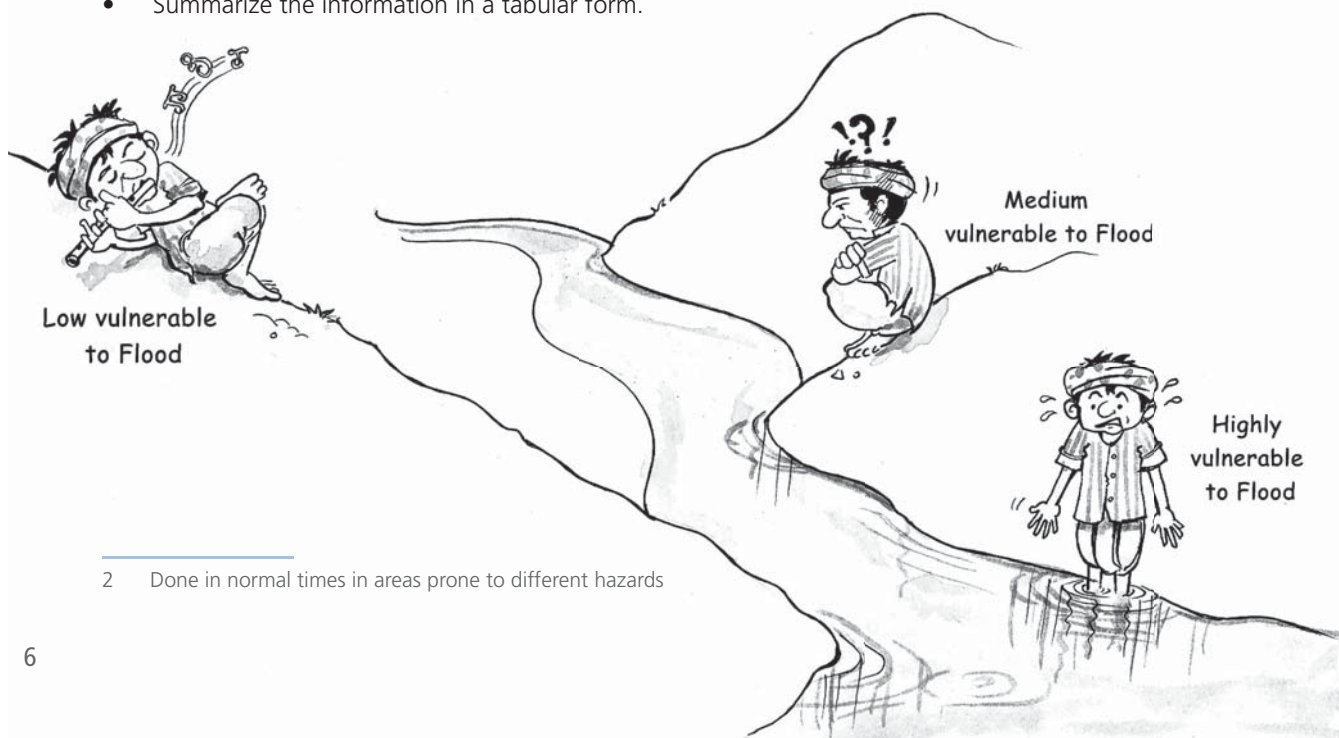
Vulnerability Mapping means mapping how different elements (social groups, livestock, houses and so on) are exposed to a hazard to varying degrees and the reasons for their settlement in the hazard prone area.

Vulnerability is:

- A condition that makes the community weak and exposed to discrimination/exclusion: for example, the distance of a Dalit hamlet from a river that floods annually, residence near or under/over an embankment, etc.
- (i) Asocial condition (ii) posing threat/danger,(iii) requiring an adequate response, and (iv) having certain characteristics (causes).
- Of varying intensity, which needs to be measured and addressed through special targeted interventions.

Steps in vulnerability assessment

- Identify the elements at risk (consider historical trends, caste, gender, sex, socio-economic situation, etc.). While including the human and non-human elements (productive assets and critical facilities), social factors such as caste and gender based discrimination must also be included.
- Decide their level of vulnerability considering the proximity of the element at risk vis-à-vis the hazard (given that different social groups are affected differently in a same location).
- Analyze why the element at risk is in that location (include both physical and social factors).
- Summarize the information in a tabular form.



² Done in normal times in areas prone to different hazards

The vulnerability assessment can be conducted using the mapping exercise on access to services and hardship mapping, which are presented below:

Table 1: Mapping of access to services during Disasters							
Access to information and service	Dalit HH	General HH	Women headed	People with Disability HH	Children without care HH	Elderly HH	Any other group
1. No. of people who did not receive information on early warning	20	15	3	2	2	3	
2. No. of HHs that did not have access to a safe rescue place							
3. Availability of rescue equipment							
4. Access to shelter							
5. No. of HHs that did not have access to wage employment (for more than 15 days)							
6. No. of families that usually get left out from govt. health services							
7. No. of women who usually are not able to avail of institutional delivery care							
8. No. of children left out of primary schools							
9. No. of children left out of anganwadis							
10. No. of HHs that did not have access to safe rescue place for animals/ poultry							

Note: Prepare hazard specific vulnerability criteria as indicated above, by making Focus Group Discussion (FGD). For example, in a drought context, one may include issues of access to drinking water, distressed migration, etc.

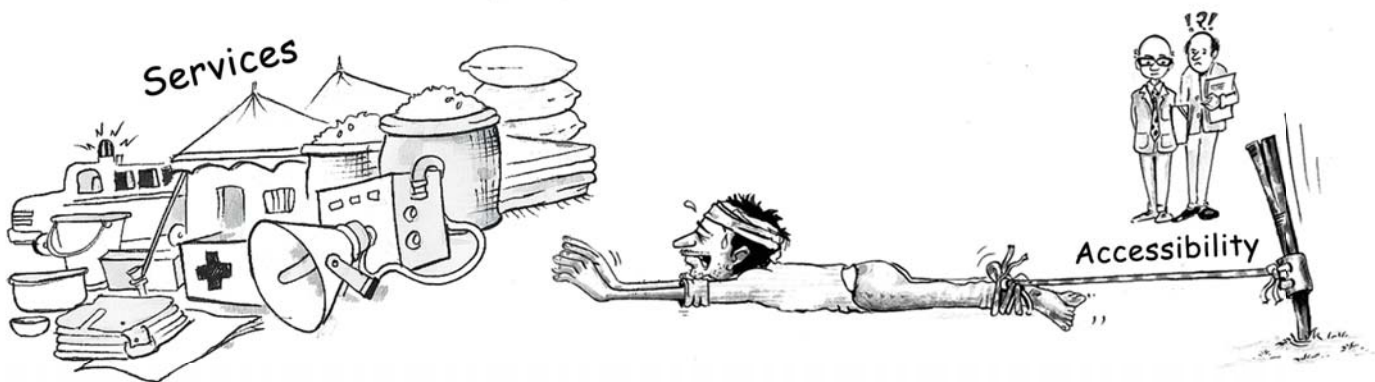


Table 2: Hardship mapping		
Hazard/ Disaster type: floods, earthquake, cyclone, drought, industrial hazards and tsunami		
Issues faced by Dalit households	Specific Difficulties faced	Coping mechanism (short term survivability)
1. Early warning		
2. Rescue & Evacuation		
3. Temporary shelter		
4. Accessibility to rescue shelters		
5. Sanitation		
6. Drinking water		
7. Food relief: - Community kitchen - Dry rations		
8. Medical aid: - First aid/primary - Access to medical care for chronic illness, TB, Asthma, cancer, etc. - Institutional delivery - Secondary care (surgery) - Tertiary (specialised)care		
9. Relief (access to non-food materials, blankets, buckets, torches, etc.)		
10. Damage assessment/ Enumeration		
11. Restoration of public utilities, and critical services (health, water supply, road connectivity, communication, food supply, shelter, livelihood, schooling, reopening of anganwadi, removal of debris, mud, dead animals, sanitisation of area, roads and bridges, etc.)		

Table 2: Hardship mapping

Hazard/ Disaster type: floods, earthquake, cyclone, drought, industrial hazards and tsunami

12. Compensation:**1. GRATUITOUS RELIEF**

- a) Ex-gratia payment for death
- b) Ex-Gratia payment for loss of a limb or eye(s).
- c) Grievous injury requiring hospitalization
- d) Clothing and utensils/ house-hold goods for families whose houses have been washed away/fully damaged/severely inundated for more than a week due to a natural calamity.
- e) Gratuitous relief for families in dire need of immediate sustenance after a calamity.

2. AGRICULTURE**(i) Assistance to small and marginal farmers****A. Assistance for land and other loss**

- a) De-silting of agricultural land (where thickness of sand/ silt deposit is more than 3", to be certified by the competent authority of the State Government)
 - b) Removal of debris on agricultural land in hilly areas
 - c) De-silting/ Restoration/ Repair of fish farms (Government Scheme)
 - d) Loss of substantial portion of land caused by landslide, avalanche, change of course of rivers
- B. Input subsidy (where crop loss is 50% and above):**
- a) For agriculture crops, horticulture crops and annual plantation crops
 - b) Perennial crops
 - c) Sericulture

(ii) Input subsidy to farmers other than small and marginal farmers**3. ANIMAL HUSBANDRY - Assistance to small and marginal farmers**

- i. Replacement of milch animals, draught animals or animals used for haulage.
- ii. Provision of fodder/ feed concentrates in cattle camps.
- iii. Water supply in cattle camps.
- iv. Additional cost of medicines and vaccine
- v. Transport of fodder to cattle outside cattle camps.
- vi. Water supply in cattle camps.
- vii. Additional cost of medicines and vaccine

4. FISHERY

- i. Assistance to fisher folk for repair/replacement of boats, nets – damaged or lost
 - Boat
 - Dugout-Canoe
 - Catamaran
 - Net

Table 2: Hardship mapping

Hazard/ Disaster type: floods, earthquake, cyclone, drought, industrial hazards and tsunami		
5. HANDICRAFTS/HANDLOOM – Assistance To Artisans: i. For replacement of damaged tools/equipment ii. For loss of raw material/ goods in process/finished goods		
13. Grievance redress mechanism: - Nodal agency - Complaints filed - Status of complaint		
14. Any other		



II. Force Field Analysis: This analysis is useful for a given solution situation by identifying the enabling and inhibiting factors associated to the situation. The factors are called forces. The factors need to be listed out and scored on a scale of 1 to 5, with 5 being very strong and 1 being very weak. The identified forces will enable the local community to explore the nature of vulnerability, including discrimination, and to take decisions with regard to building solidarity and raising issues for advocacy. For example, the identified forces will enable the community to list out who supports the Dalits (enabling forces) and who is against them (inhibiting forces) and why; and what kind of resources are available for them.

III. After finishing the exercises in Tables 1 & 2, and II (Force Field Analysis), make a brief narration about the caste induced vulnerabilities in post-disaster situations. Also provide examples of past incidences of exclusion.

2. Monitoring Inclusion in Disaster Response

Inclusion monitoring will follow vulnerability mapping exercises. It may also be used as a standalone exercise in the aftermath of a disaster to assess the level of inclusion, i.e. the outreach to Dalit communities, in the relief and rehabilitation programmes of the civil society organisations and the government. With the information and field assessments, short-term and long-term advocacy strategies will be adopted to ensure Dalit inclusion in DRR.

This exercise must be conducted immediately after the disaster (within 7 days) and in periodic intervals to assess the universal outreach of the services and to ensure dignified living of the survivors. It is best done in a participatory manner rather than by outside investigators.

Information from monitoring should lead to:-

- Awareness about rights and entitlements created in the community
- Active participation of the community in local level advocacy and dialogue with government officials for claiming their entitlements
- Community and organisational action for inclusion in DRR programmes



1. Community Monitoring (Use the questionnaire in Annexure 4)

The community needs to be facilitated by the task force member (volunteer) in identifying its vulnerability by building awareness regarding their rights and entitlements. More than telling the issues, the task force members should be able to organise meetings with the communities and encourage people to come out with their own indicators and reasons for marginalisation.

Objectives

1. Assess the outreach of disaster response services
2. Ascertain the specific difficulties faced by Dalits and other vulnerable groups in getting enumerated as part of disaster responses services
3. Attain first-hand knowledge of the post disaster needs of the people.



Important Indicators

1. The needs and demands of the community
2. The authorities that can help in getting those needs and demands fulfilled
3. Who can approach the duty bearers/authority and how?
 - Use of simple techniques and locally and easily available materials while volunteers facilitate the process back in their communities (where it is not viable to get flip charts, pens and other resource materials)
 - Prioritise pre, during and post disaster vulnerability, threats and needs, as well as the agencies to be approached



To monitor the response mechanism and services, a list of issues have been presented under different sets of response. The community volunteer may hold focus group discussions with different communities and prepare an assessment report. In the table given below, in the last column the overall situation needs to be spelled out. Wherever possible, use additional sheets to provide concrete case examples.

Table 5: Community-based monitoring of disaster response			
Areas to be monitored	Services	Areas of concern with regard to access and participation	Overall situation and Who is accountable?
Early warning	Information	<ul style="list-style-type: none"> • Timeliness • Accuracy • Authentic • Discrimination/biases • Participation& decision making (representation) 	
Rescue & Evacuation	<ul style="list-style-type: none"> • Boat • Life jacket • Rescue shelter • Trained rescuer/s 	<ul style="list-style-type: none"> • Timeliness • Availability • Accessibility • Quality • Discrimination/biases • Participation& decision making 	
Relief	<ul style="list-style-type: none"> • Food • Water • Shelter • Sanitation • Health services • Psycho-social care • Supplementary nutrition for lactating and expecting women • Supplementary nutrition for infants Expand as per need	<ul style="list-style-type: none"> • Timeliness • Accessibility • Quality& quantity • Frequency • Discrimination/biases • Participation& decision making • Transparency 	
Damage assessment	<ul style="list-style-type: none"> • Pre-survey verification • Survey by authority • Enumeration & compensation 	<ul style="list-style-type: none"> • Site visit by officials for verification, survey & identification • Documentary proofs/records of damage and loss • Timeliness • Estimation of losses/damages • Victim's participation • Timeliness in disbursement of compensation • Procedure • Corruption 	

Note: Also collect some people's narratives about the quality of post disaster services to the homeless, destitute persons, orphans, women, girls, the elderly, PLHIV, etc.

2. Identifying Agents of Exclusion

This process identifies people who are responsible for excluding certain communities from DDR and holds them accountable for effective delivery of services, which is very crucial in post disaster situation. The identification of the agents of exclusion can be very sensitive and community groups may not want to name any person or authority due to their dependence, threat perceptions, and potential conflict associated with doing so. Only an organised and empowered group can take up this exercise. The facilitator needs to examine the overall group environment and dynamics before initiating the task of identification of the agents of exclusion.

Table 6: Identifying Agents of Exclusion*

Phases	Nature of exclusion /action (HOW)*	Triggering of exclusion (WHO-person/group)				
		Government official/s	Dominant person/s	Political parties	Panchayati Raj Institutions	Non-state actors
Early warning	1. 2. 3.					
Rescue & Evacuation						
Rescue shelter:						
Relief camp						
Relief distribution Food items - Shelter - Water Non food - First aid - Second care - Blankets Buckets etc.						
Damage assessment/ Enumeration						
Compensation						
Grievance redress mechanism						

Table 7: Strategising community action

Issue	Actions required	Requirements
1. Denial of entitlements	Approaching the local level administration with demands and grievances	<ul style="list-style-type: none"> • Individual applications filed by victims in bulk with the concerned administration • Public programme (staging a rally to official's office) • Public hearing (if substantial time is lapsed and authorities have not addressed their demands) • Etcetera
2.		
3.		

Note- above is one example of possible issue identified, action that should be taken and tools required for undertaking the action.

3. Identifying advocacy issues

After the assessment, when the report is ready, it is time to reflect on the major findings of monitoring. The findings should lead to the identification of the areas for sustained intervention and a plan of action for the community – a Community Action Plan (CAP).³

At this stage, creating awareness among the community about the prevalent relief codes, institutional arrangements for disaster response (relief and rehabilitation), entitlements and officers responsible for disaster response delivery would empower the communities in claiming their entitlements.



3 Building Resilient Communities, A training Manual on Community Managed Disaster Risk Reduction, International Institute of Rural Reconstruction & Cordaid

Steps towards developing CAP are:-

- i. Identifying the major problems and gaps that the community faced owing to their caste, and women from vulnerable communities in accessing disaster response services
- ii. Pointing out the barriers that require decisions or the support of authorities
- iii. Selecting the key advocacy issue/s to be collectively addressed
- iv. Using the key factors (step i) to identify the focus of the advocacy plan.

Set Goals

Set goals: Set the goals in terms of immediate, medium and long term goals. What changes would you want to see in 3-5years, which will form the long term planning; 1 to 2 years for medium term planning; and in the next 3 to 6 months for short-term planning.

- i. Identify change targets, change agents and secondary influences on change agents
- ii. Identify potential allies and opponents
- iii. Develop action plans to achieve advocacy goals by enlisting the support of allies and neutralizing opponents.



4. Legal tool to strengthen community driven advocacy

Possible activities that can be undertaken (though this could be determined only when key advocacy areas are identified):

1. Having built evidence of factual data with the survey, individual and/or community (collective) applications for entitlements should be filed with the relevant administration/authority (e.g. Block Revenue Office, District Revenue Officer, Collector, etc.) along with a copy of the survey report/finding and details of the community process involved in the report.
2. The applications for compensation against losses and damages should be signed by households and not by the facilitating organisation, though the follow up could be done jointly by the community representatives, i.e. volunteers and the local Community based organisations.
3. A copy of the application should be marked to the higher authorities as well as the State SC / Minority/ Human Rights Commissions, nodal agency for disaster management, i.e. Principal Secretary (Revenue)-Govt of State, Flood control Ministry, Governor of State, Chief Minister and Minister of Social Welfare-Govt of State.

4. Official receipt of the applications should be sought from the office of the authority while submitting the application.
5. In case of no or unsatisfactory reply, file an application under the Right to Information (RTI) Act with the Public Information Officer (PIO) of the primary authority which received the submission, requesting the status of action taken on the applications (RTI sample attached).⁴
6. If still no satisfactory response is received, the appellate authority as per the RTI Act should be appealed to as a collective/community, and less preferably as individuals.
7. Simultaneously, the unresolved grievances maybe reported to national or state based advocacy groups for necessary action. If there is a jan sunwai being conducted by the advocacy groups, such cases can be presented and the affected people can give testimonies and seek support.
8. Letters must be written to the following on the pending grievances and/or inaction by the authorities:
 - a. The Chief Minister of the state, with copy to local administration/authority
 - b. The State Revenue & Disaster Management Authority, citing reference of the above submitted applications to the local administration (quoting receipt no.), with a copy to local administration/authority
9. Share the findings with the regional and national media
10. Organising public programmes like Jan sunwais (public hearing) with the officials when considerable time period has lapsed and all local means are exhausted
11. If need be, public interest litigation could also be submitted to the High Court in the state if the appeal goes unaddressed for a considerable amount of time. For this, a credible pro-bono legal aid professional/lawyer/organisation is required to represent the community/ag-grieved person/s.



⁴ RTI Act also has its own set mechanisms and timelines for the government to respond to the application, which should be known to the local assisting organisation.

5. Periodic Work Review

It is very important to periodically review the process and efficacy of the community action plan, bearing in mind the changing ground realities and dynamics. It is recommended that the community examines the strategy regularly. The litmus test of the strategy is that at no point the principle of inclusion of Dalits and other marginalised communities should be compromised. Continuous interaction with volunteers at specified intervals to review the strategy is required to maintain its relevance. Community meetings will also help the people to remain informed of the actions being taken and status/success achieved, thereby building the trust of the community.

ANNEXES

Annexes

1. Findings from the monitoring of relief services (2009-2011)
2. Suggestive list of factors that cause and enhance vulnerability
3. The issues and indicators of social exclusion
4. Questionnaire for Community Monitoring
5. Sample application under RTI
6. Legislative and Institutional measures for Disaster Management in India
7. International Human Rights Obligations and Caste Based Discrimination

ANNEXURE 1

Findings from the monitoring of Relief Services (2009-2011)

Relief and recovery services of the state were monitored during the Assam floods (2009 and 2011), Andhra Pradesh and Karnataka floods (2009), Yamuna floods in Delhi (2010), Thane cyclone in Tamil Nadu (2011), Odisha floods (2011-12) with the tools and frameworks prescribed in this Manual. The same was conducted by cadres of Dalit volunteers from the identified regions of the pilot districts in Andhra Pradesh, Karnataka, Odisha and Assam, with the active facilitation of persons sharing the vision of Dalit inclusion from the nodal NGOs working in the states. The frontline staff were first oriented on the tools in a training of trainers (ToT). They then went back to their states and formed task forces of volunteers hailing from the flood affected regions.

The findings have revealed some common forms and patterns of exclusion and discrimination. These are:

- Lack of information, early warning and timely communication systems on the impending danger (of floods) by the authorities;
- Discriminatory evacuation services leaving out or even charging Dalits for boat services;
- Single women headed families as well as families with elderly and children alone while adults having migrated for work were left without any assistance;
- Non-enumeration and delayed enumeration leading to underestimation of losses;
- Enumeration process carried out by officials sitting in panchayat offices where not all Dalits could gain entry for participation;
- Dalit victims who moved away to distant safer locations were not treated as flood affected people during the time of enumeration by the officials.
- The path to reach the rescue shelters is through dominant caste communities who did not allow Dalits to pass through during the time of floods.
- Inappropriate registration of the losses of Dalit agricultural labourers (share croppers and salt pan workers) by officials, especially where the Dalit houses per se were not affected, but agriculture crops were damaged (NB: share cropping and salt pans are not recognised under the calamity relief fund guidelines under loss of livelihood);
- Dalits were employed to clear slush from the colonies and housing of dominant caste groups under programmes like MGNREGA, for which they were not paid their wages;
- No proper grievance redress for Dalit victims who were denied due compensation against their losses and damages;
- Political rivalry led to some caste clashes during disaster response;
- The scheduled tribes (STs) who lost their cattle went unregistered by officials under the pretext that STs live on forest produce and don't rear animals;

- Houses categorised as hutment category, as most Dalit housing is thatched or mud walls, leading to eligibility for only low compensation;
- No cyclone/ flood rescue shelters near Dalit habitations;
- Death and loss of infants during floods unrecognised because births and deaths registration is not maintained in Dalit colonies;
- DRR activities did not take place in Dalit colonies and the communities were not aware of the Calamity Relief Fund (National Disaster Response Fund/State Disaster Response Fund) norms or assistance from the government.

Vulnerability is:

- A condition that makes the community weak and exposed to discrimination/exclusion: for example, the distance of a Dalit hamlet from a river that floods annually, residence near or under/over an embankment, etc.
- (i) Asocial condition (ii) posing threat/danger,(iii) requiring an adequate response, and (iv) having certain characteristics (causes).
- Of varying intensity, which needs to be measured and addressed through special targeted interventions.

Steps in vulnerability assessment:

- Identify the elements at risk (consider historical trends, caste, gender, sex, socio-economic situation, etc.). While including the human and non-human elements (productive assets and critical facilities), social factors such as caste and gender based discrimination must also be included.
- Decide their level of vulnerability considering the proximity of the element at risk vis-à-vis the hazard (given that different social groups are affected differently in a same location).
- Analyze why the element at risk is in that location (include both physical and social factors).
- Summarize the information in a tabular form.

The vulnerability assessment can be conducted using the mapping exercise on access to services and hardship mapping, which are presented in Table 1 & 2 above.

ANNEXURE 2

Suggestive list of factors that cause and enhance vulnerability

Causes / Context that make Dalits vulnerable

1. Hazard prone location like Dalit habitations are on/near embankment/ river/ low lying areas
2. Improper housing
3. Limited resources
4. Construction of mega dams
5. Land erosion
6. Sand depositions
7. Non participatory relief services
8. Non-identification of damage and losses
9. Less than average monsoonal rainfall (drought)
10. Loss of livelihood
11. No wages or low wages

Conditions that affect Dalits

1. No evacuation plan
2. Political influence of non-Dalits
3. Sand depositions on lands/ponds/lakes affecting livelihood activities
4. Low coverage under government schemes and entitlements
5. Poorly constructed houses
6. Social disintegration leading to social, cultural and political isolation
7. Manipulation in various data related to Dalits in the process of Relief and Rehabilitation
8. Child labour
9. Bonded labour
10. Investment in Agriculture but non-Output
11. Debt upon failure or crop loss to disaster situations
12. Non-availability of food stocks when natural disaster strikes

Threats

1. Loss of life (human and livestock)
2. Loss of livelihood
3. Migration/displacement
4. Social isolation leading to less political influence
5. Less coverage under public schemes
6. Loss of education for children

Areas of inclusive programming

1. Adequate representation at different levels (evacuation plans, relief distribution/rehabilitation plans)
2. National level Policy and Committee
3. Clear district and state level disaster management plans
4. Dalits' representation in humanitarian assistance /response teams
5. Awareness of existing policies/Act created in the community
6. Demand for work under MNREGA
7. Regular lobbying and advocacy on the issue of inclusion
8. Public health initiatives for Dalit communities

ANNEXURE 3

The issues and indicators of social exclusion

Indicators for Protection and Social Security

1. Nature of caste domination
2. Level of rights assertion by community
3. Level of confidence in law enforcement agencies and statutory bodies

Special Groups

1. Women (widows, single women, women-led households, pregnant women, lactating mothers)
2. Children
3. Elderly
4. People with disabilities
5. Destitute

The Issues- Social, Cultural and Caste based Practices

1. Free labour and chakari (Dalits used as messengers for informing others about meetings, etc.)
2. Obligatory caste-linked works
3. Forced subservient behaviours and prevalence of the Devadasi system
4. Safai karamachari (sweepers and manual scavengers)
5. Dalits' assertion of their rights.

Issues in Development Policies

1. Lack of special policies to address caste
2. Non-implementation of existing policies
3. No policy to promote inclusion
4. Mainstreaming of disaster in development projects
5. Proper land documents needed

Issues in Service Delivery

1. Lack of information on government schemes
2. Issues of Dalits are not a priority for officials and the Government
3. Availability of service centres

4. Service centres are influenced by dominant castes
5. Resilience of service delivery infrastructure

Issues of geographical positioning- Locational vulnerability

1. Dalits are socially and political situated in most vulnerable positions
2. Non disaster resilient housing
3. No policy to rehabilitate Dalits

Indicators to determine community's coping mechanisms

1. Contingency plans(materials, trained human resources)
2. Traditional coping mechanisms (houses on raised plinth)
3. Presence of community level institutions.

Indicator/s for identifying household level readiness

1. Household level preparedness plans (important valuables for rapid recovery)

Indicators for identifying housing conditions

1. Number of homeless families
2. Number of safe/unsafe houses
3. Number of households with their own land for house (govt land or private land)
4. Number of overcrowded houses

Indicators for assessing availability of physical amenities

1. Location, accessibility and functionality of roads, schools, anganwadis, primary healthcare centres, panchayat bhawan, community halls, road network, drainage, drinking water

Indicators for determining Economic Sustainability of Dalits

1. Landholding patterns
2. Land under the illegal occupation of dominant caste
3. Productivity and integration of land
4. Credit facilities available to Dalits
5. Level of education and trades carried out
6. History of land in relation to disasters
7. Employees in either Private/Government sectors
8. Migration
9. Child labour

10. Types of crops grown
11. Crop insurance
12. Small and Medium Enterprises
13. Livestock (types, products)
14. Storage of food grains and livestock
15. Sources of income
16. Sources of credit

Indicators for assessing political representation of Dalits

1. Political participation
2. Political discrimination
3. Political division within the community

The listing of various issues and indicators for examining the broad conditions in which Dalits live and their participation in community activities are generic and assumed to be known to everyone. This was an outcome of the group discussion and brainstorming conducted with the participants of the workshop, held on 10-11 March 2011. The day concluded with an in-depth comprehension of the term 'vulnerability' from a Dalit perspective. This understanding encompassed what gives birth to these vulnerabilities or social conditions, and what impeded Dalits' accessibility to equitable disaster relief and rehabilitation, given some of the above mentioned factors.

ANNEXURE 4

Questionnaire for Community Monitoring⁵

[District: _____ Block: _____]

I. Basic details of the flood affected Family:

1. Name (family head):

H'o/W'o/S'o,

2. Age:

3. Caste:

4. Sub-caste:

5. Occupation:

6. Ration Card No.:

7. Details of the family members:

S. No.	Name	M	F	Age	If School going, class currently studying in	If Differently Abled what %	Pregnant	Lactating Mother
7.1								
7.2								
7.3								
7.4								
7.5								
7.6								
7.7								
7.8								

A) Residence details:

(i) a. H. No. :

b. Block/district/panchayat :

c. State :

d. Phone No. :

(ii) Hometown :

(iii) Reason for migration :

⁵ To be modified to suit the local situations

B) Living conditions (Tick answers)

Location of residence (proximity to the river / dam / under or over the dam) _____

Houses : Concrete

Thatched

(i) Do you get electricity supply usually? a. Yes b. No

(ii) Has electricity supply been resumed after the disaster? a. Yes b. No

(iii) Key sources of family income _____

(iv) Land holdings pattern

a. Own land _____ b. Leased land _____ c. Lease amount _____

(v) Is there any Anganwadi operational in the area?

a. Yes b. No

II. Early Warning

(i) Are you aware of any early warning functions/measures of the government?

a. Yes b. No

(ii) Was there any early warning received from an official for shifting to safer areas?

a. Yes b. No

(iii) When did you shift to a safer location during the disaster?

a. Before floods /cyclone b. After floods/cyclone

iii. Evacuation

(i) Were you able to access rescue boats and other evacuation services of the govt?

If No, why not? _____

(ii) Were you able to access any private rescue boats and other evacuation services?

a. Yes

b. No

If No, why not? _____

(iii) Was the privately run evacuation service free of cost?

(iv) How did you take care of old parents and young babies during evacuation in the absence or dearth of (timely) rescue services?

iv. Extent of loss and damage suffered

1	If death of a family member took place	Name: Age: M/F
2	If family member was grievously injured and required hospitalisation for more than one week	Name: Age: M/F
3	If family member was grievously injured and required hospitalisation for less than one week	Name: Age: M/F
4	Loss of clothing	
5	Loss of utensils	
6	Other assets/belongings	
7	Housing severally damaged	
8	Housing washed away/ completely damaged	
9	Injury to Llivestock	
10	Loss of cow / buffalo / yak	
11.	Loss of Sheep/Goat	
12	Loss of Horse /Bullock	
12.1	Loss of Calf/ donkey / and pony	
12.2	Loss of poultry	
12.3	Loss of cattle feed	
12.4	No drinking water for cattle	
13.	Loss of land and crops	
14.	Loss to school-going children	
17.	Toilet and bathroom facilities negatively affected	

v. Extent of relief accessed by the household

(i) Immediate relief goods received: (Tick the appropriate agency)

From - government/ voluntary agencies/congregations/individuals or others

Were you able to access relief material (food, shelter, medicines, maternity benefit, child care) in time?

a. Yes b. No

If No, why not? _____

(ii) When were the relief camps initiated?

(iii) When were they closed down?

(iv) Were you able to access relief camps?

a. Yes b. No

If No, why not? _____

(v) Was there any caste-based discrimination while distributing the relief material?

a. Yes b. No c. Don't know

If yes, what forms of discrimination were practised? _____

(vi) Did the govt serve enough food for the family in the relief camp?

a. Yes b. No

(vii) How many times per day was food distributed in the relief camp?

a. Once b. Twice c. Thrice d. Never

(viii) What did the daily food supply comprise?

(ix) Did the govt provide cattle feed for your livestock?

a. Yes b. No

(x) If No, how did you manage fodder for your livestock?

vi. Water and Sanitation in the relief camps

(i) Did you have access to clean drinking water?

- a. Yes b. No

If No, why not? _____

(ii) Mode of provision of water:

(iii) Was hygiene properly maintained in the relief camps?

- a. Yes b. No

(iv) Type of water storage facilities:

(v) Measures to prevent water contamination:

(vi) Measures taken to sanitize the environs of the relief camps:

vii. Gender justice in relief and rehabilitation

(i) Were women's special needs taken care of?

Needs	Whether taken care of (Y / N)	If No, why not?
Sanitary napkins, especially for adolescent girl children		
No. of toilets provided for women		
Bathing facilities provided - privacy		
Special medical camps for gynaecological problems		
Labour rooms provided by the government		
Supplementary nutrition for pregnant and lactating women		

(iv) Did you feel that you were being discriminated in receiving flood/cyclone related support?

a. Yes

b. No

c. If Yes, why you felt so?

IX. Health

(i) Were medical camps run regularly?

a. Yes

b. No

c. Don't know

(ii) Were you satisfied with the health services?

a. Yes

b. No

If no, why not? _____

(iii) Was there any instance where you felt your illness was not properly attended to?

(iv) Was there ever any refusal by medical personnel to treat you?

a. Yes

b. No

(v) Did you get enough medicine from the officials?

a. Yes

b. No

X. Damage assessment by the officials

(i) Has any survey been conducted by the officials to assess your loss and damage?

a. Yes

b. No

(ii) If no, why wasn't a survey done?

XI. Recovery

(i) Did you get work under MGNREGA after the disaster?

a. Yes

b. No

(ii) If, no, how did you sustain the family? Give explanation

(iii) How did you rebuild your house if it was destroyed?

a. Indira Awas Yojana (govt. aid)

b. Loan

c. Savings

Surveyor's observation:

Signature of the Surveyor

Signature of interviewee

Date:

ANNEXURE 5

Sample application under Right To Information Act⁶

From :

Organisation's name :

Organisation's address :

To,

The Public Information Officer

Office of the Principal Secretary (Revenue)-cum- Divisional Commissioner, Delhi

Sub: Application being made under the Right to Information Act regarding the Yamuna Floods of 2010

21st September, 2010

Dear Sir / Madam,

The Yamuna floods of 2010 have wreaked unprecedented havoc, caused a lot of damage and have displaced many people living in the affected areas. Our efforts are to understand the preparedness levels and effectiveness of disaster response of public institutions of the Delhi Government, particularly in responding to the needs of vulnerable citizens in the affected area. Hence, we are applying for precise and detailed information regarding various aspects of Flood control and Disaster response work that the concerned authorities are expected to undertake as per the "Flood Control Order, 2009" of the Government of Delhi.

1. All orders and circulars passed in connection with the Yamuna Floods.
2. Copy of the logbook in the Central Flood Control Room (all the messages received and dispatched since the CFCR was set up in 2010).
3. Minutes of the mandatory meetings of the Apex Committee of Flood Control held this year (2010).
4. Minutes of the meetings of all the sector committees of the districts of National Capital Territory and all action plans made as mandated under the section "Sector Committees – Functions of the sector committees" of the Flood Control Order – 2009 of the Government of Delhi.
5. Certificates issued by M.C.D., D.D.A., PWD& NDMC before 30th June 2010 that drains under their jurisdiction have been made fully operational and that adequate pumping capacity to meet the requirement is available.

⁶ RTI applications may vary state wise, but this application puts forth the style and kind of information that can be asked before starting the inclusion monitoring survey. This application was made during the Yamuna floods in Delhi in 2010

6. Certificates issued by Delhi Jal Board before 30th June 2010 that all sewers have been desilted and all sewage pumping stations including Diesel Generating Sets are in perfect working condition.
7. List of areas which were inundated in the 2010 Yamuna Floods and the list of authorized as well as unauthorized colonies/ human settlements in those areas, as well as data on the population residing in those colonies, including data on SC and ST families.
8. Give information on the number of hutments / residential units (authorized or unauthorized) which have been (i) submerged (ii) washed away and the names of the owners of such residential units
9. Give information on the acreage of agricultural losses, with the list of farmers who have been cultivating such land and have incurred such losses.
10. Copies of any order or circular delineating any relief and rehabilitation package that has been announced for the flood affected people and compliance reports for the same.
11. Orders / circulars giving details of budgetary allocations for the 2010 floods in Delhi and the procedures for spending the same
12. The details of relief camps that were initiated during the Yamuna Floods 2010 – The area, the number of people that were being accommodated, the services that were provided as per the norms set in the Flood control Order 2009 (or as per any fresh order issued in 2010). You may use the following format to provide data for all the relief camp:

Name of relief Camp and date of commencement	No of people accommodated in the relief camp till date					No. and type of shelters given to the camp inmates	The quantity of food material and rations given	Water, Sanitation and Medical arrangements
	Men SC/ST/OBC/Gen	Women SC/ST/OBC/Gen	Children SC/ST/OBC/Gen	Elderly SC/ST/OBC/Gen	PwD SC/ST/OBC/Gen			
Relief camp – I Name: Date initiated: Date closed:							(i) Food provided :(specify items and quantity per person) (ii) Rations given (specify items and quantities given per unit – family / person) (iii) Any special nutritional provision made for pregnant and lactating women and children	Mode of provision of water: Water storage facilities: Measures for preventing contamination: Measures taken to sanitize the environs of the relief camps: No. of toilets provided:
Relief Camp - II Name: Date initiated: Date closed								

We expect this information within the mandatory period of 30 days, but we would urge you to provide the same as early as possible considering the significance of the steps taken in this regard to the lives of the affected citizens.

You are requested to kindly provide the information in a compact disc as far as possible to avoid waste of valuable stationery.

With Regards

Applicant's Signature

(Applicant's name)

ANNEXURE 6

Legislative and Institutional measures for Disaster Management in India

The Disaster Management Act (DM Act), 2005 lays down institutional, legal, financial and coordination mechanisms at the national, state, district and local levels. These institutions are not parallel structures and are expected to work in close harmony. The primary responsibility for disaster management rests with the States. The institutional mechanisms at the Centre, State and District levels are to help States manage disasters in an effective manner.

The *National Disaster Management Authority (NDMA)* has been instituted under the DM Act. The NDMA, as the apex body for disaster management headed by the Prime Minister, has the responsibility to lay down policies, plans and guidelines for DM. Further, the NDMA should coordinate the enforcement and implementation of such policies, plans and guidelines for ensuring timely and effective response to disasters. The NDMA is mandated to deal with all types of disasters, natural or man-made. *The National Executive Committee (NEC)*, comprising the Union Home Secretary as the Chairperson and the Secretaries to the GOI in the Ministries/Departments, is established to assist the NDMA in carrying out its work.

Similarly, the *State Disaster Management Authorities (SDMA)* have been established under the law to ensure the effective coordination and implementation of national and state guidelines and the legislation in the district. The State governments are mandated to prepare their respective *state disaster management plans (SDMP)*, which are formed by the aggregation of the *district disaster management plans (DDMPs)* at the district level. The SDMPs are then integrated into one National Disaster Management Plan. The *State Executive Committee* is also created under the Act to assist the SDMA. The district administration is responsible for planning, coordination and implementation of the guidelines laid down by the NDMA and SDMA, as well as for formulating the DDMPs.

The Act mandates the NDMA and SDMAs to integrate measures for the prevention of disasters or their mitigation into development plans, to allocate funds, establish early warning systems and so on in the Disaster Management Plans. The NDMA approves the National Disaster Management Plan of the Central Ministries/Departments and oversee the provision and application of funds for mitigation and preparedness measures recommended by the states. The SDMAs have to review the developmental plans of the different departments of the respective states in order to ensure the integration of prevention, preparedness and mitigation measures.

Under the DM Act, the *National Institute of Disaster Management* has been established. This institute, in partnership with other research institutions, develops the capacities of trainers, DM

officials and other stakeholders along with research, documentation and the development of a national information database.

At the premises of the National Institute of Disaster Management, the SAARC Disaster Management Centre (SDMC) was set up in October 2006. The Centre is mandated to serve the eight Member Countries of the South Asia Association of Regional Cooperation (SAARC) - Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka - by providing policy advice and facilitating capacity building services. These services include strategic learning, research, training, system development and the exchange of information for effective disaster risk reduction and management in South Asia. The Centre also conducts capacity building activities and provides various policy advisory services to the Member Countries.

For the purpose of specialised response to a threatening disaster situation or disasters/emergencies, both natural and man-made -such as those of Chemical, Biological, Radiological and Nuclear origin, the Act has mandated the constitution of a *National Disaster Response Force (NDRF)*. The general superintendence, direction and control of NDRF are vested in and exercised by the NDMA. The *National Crisis Management Committee (NCMC)*, comprising high level officials of the Government of India (GoI) and headed by the Cabinet Secretary, is established under the Act to deal with major crises which have serious or national ramifications. It is supported by the *Crisis Management Groups (CMG)* of the Central nodal Ministries and assisted by the National Executive Committee as may be necessary.

The *Armed Forces, Central Para Military, Civil Defence and Home Guards* are called upon to assist the civil administration only when the situation is beyond their coping capability. Besides contributing to the NDRF, they are deployed for community preparedness and public awareness raising. They are also supposed to include women members in order to look after the needs of women and children. Youth-based organisations in the NDRF also aim to support all community-based initiatives and to impart DM training to the community.

The Act has made financial arrangements at the Central and state levels in the form of *National / State Disaster Response and Mitigation Funds (NDRFs)* and the *National Disaster Mitigation Fund (NDMF)*. However, the NDMA is entrusted with the responsibility of mainstreaming *disaster risk reduction* into the developmental agenda. It is also obligated to ensure that all existing and new developmental programmes and projects incorporate disaster resilient specifications in their design and construction. The Planning Commission is called upon to make financial allocations in light of these factors.

The dimensions of disaster response at the Central government level are determined in accordance with the existing policy of financing relief expenditure and keeping in mind factors like (i) the gravity of a natural disaster; (ii) the scale of the relief operation necessary; and (iii) the

requirements of Central assistance for augmenting the financial resources and logistic support at the disposal of the State Government.

The management of natural disasters is essentially a state subject, where the state governments are mandated to carry out functions as provided in law and in the NDMA guidelines. The role of the Central Government is supportive in terms of the provision of supplementary physical and financial resources, while the district administration is the focal point for the implementation of all governmental plans and activities. The actual day-to-day function of administering relief is the responsibility of the District Collector/District Magistrate/Deputy Commissioner who exercises coordinating and supervisory powers over all departments at the district level.

The Chief Secretary of the State heads a state level committee that has overall charge of the relief operations in the State. The Relief Commissioners, who are in charge of the relief and rehabilitation measures in the wake of natural disasters in their States, function under the overall direction and control of the state level committee. In many states, the Secretary, Department of Revenue, is also incharge of relief measures. State Governments usually have relief manuals and the districts have their contingency plan that is updated from time to time.

The NDRF is to meet the expenses for emergency response, relief and rehabilitation, in accordance with the guidelines laid down by the Central Government in consultation with the NDMA. The NDMF also may be used for projects exclusively for the purpose of mitigation as applied by the NDMA and as recommended by the Finance Commission from time to time.

The Calamity Relief Fund (CRF) scheme, introduced by the Ninth Commission (Second Report), is designed to enable the States to manage and provide for calamity relief on their own by drawing upon the resources available with a fund constituted for that purpose separately for each State. The prescribed annual contributions to each State CRF are required to be made by the Centre and the concerned State in the ratio of 75:25. The scheme further provides for an accumulating balance with the proviso that if there is any unutilised amount left at the end of five years, it would be available for augmenting the plan resources of that State. A National Calamity Contingency Fund (NCCF) has been constituted by the Government of India for the purpose of dealing with severe calamities like cyclones, droughts, earthquakes, fires, floods and hailstorms. The NCCF covers natural disasters requiring expenditure by the State Government in excess of the balances available in its own Calamity Relief Fund. The assistance from NCCF is available only for immediate relief and rehabilitation measures.

Considering the government assistance provided for rescue, relief and rehabilitation and reconstruction needs, the DM Policy promotes new financial tools such as catastrophic risk financing, risk insurance, catastrophe bonds, micro-finance and insurance, etc. Innovative fiscal incentives are given to cover losses to individuals, communities and the corporate sector under this *techno-legal regime*.

Various guidelines⁷ have been evolved in the past decade by the Government of India (GoI), focusing on different types of disasters and putting in place mechanisms for effective disaster management. India has progressively established and developed a disaster management system, policy and guidelines under the overarching National Disaster Management Act. Many of the provisions have been developed through consultations between the government and civil society organisations.

Human rights form the base of the disaster management law and subsequent policy and guidelines. Article 21, of the Constitution of India guarantees the right to life with dignity. Moreover, Article 1 of the Universal Declaration of Human Rights⁸ (UDHR), to which GoI is signatory, also celebrates human equality, liberty and dignity.

The existing law and guidelines on disaster management in India thus carry possible elements for the inclusion of Dalits under the umbrella of the broader constitutional right to life with dignity and international instruments to which India is signatory. Humanitarian stakeholders therefore need to apply a human rights approach in their emergency work that ensures no one is excluded from this work.

7 For the list of guidelines go to <http://ndma.gov.in/ndma/guidelines.html>.

8 Article 1 of the Universal Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

ANNEXURE 7

International Human Rights Obligations and Caste Based Discrimination

Guidelines and principles for humanitarian relief and disaster aid have a distinct history going back as far as the Convention establishing an International Relief Union in 1927. Article 3 of the Geneva Conventions refers to the need for humanity, impartiality and the “absence of adverse distinction” in assisting civilian populations in armed conflicts. Over time, these humanitarian ideals have been expanded to apply to agencies providing assistance after natural disasters and wars.

In 1991, while setting up the Department for Humanitarian Affairs, the United Nations laid down certain broad principles to guide humanitarian assistance. This was soon followed by the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. The Code was later improved upon by the Sphere Project, an initiative of a number of NGOs and the Red Cross and Red Crescent movement in 1997. The aim of the project was to bring out an “operational framework for accountability in disaster assistance efforts”. This was done through the Sphere Handbook, first published in 2000 and later revised in 2003 and again in 2009–2010. The Sphere Handbook created the Humanitarian Charter and Minimum Standards in Disaster Response, which sets out for the first time what people affected by disasters have a right to expect from humanitarian assistance.⁹

Humanitarian action is informed by universally accepted human rights that are fundamental in nature under national and international laws. The principle of the right to life with dignity, liberty and security¹⁰ underpin all humanitarian interventions in disasters.

In humanitarian assistance programming, much of the discourse has centred on the complex relationship between human rights and humanitarian action in situations of violent insecurity. Less well documented are the issues involved in protecting and promoting social, economic and cultural rights in a natural disaster setting.

Humanitarian assistance often centres on the logistics operation to address immediate life-saving needs. This is necessary especially during the first few weeks after a disaster, the initial rapid response phase. However, humanitarian assistance programming often continues for several years. The rights-based approach (RBA) to programming -- that shifts the focus from the

9 <http://infochangeindia.org/agenda/migration-displacement/beyond-the-sphere-standards.html>

10 Universal Declaration of Human Rights, Article 3

charitable fulfillment of needs to the duty-driven advancement of rights offers a conceptual link that may help the humanitarian community better integrate its relief and development agendas.¹¹

The Universal Declaration of Human Rights (UDHR) recognizes and guarantees everyone the right to a standard of living adequate for health and well-being, with access to minimum amenities in circumstances beyond her/his control.¹² The same is upheld in the Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent.¹³ In 1996, the Committee on the Elimination of Racial Discrimination (CERD) made its first reference to caste discrimination, 'untouchability' and Scheduled Caste under the rubric of Descent: "The Committee states that the term 'Descent' mentioned in Article 1 of the Convention does not solely refer to race. The Committee affirms that the situation of the Scheduled Castes and the Scheduled Tribes fall within the scope of this Convention".

The Convention on the Elimination of All Forms of Racial Discrimination (CERD), while condemning racial discrimination, calls upon the states parties to "take special and concrete measures, on a temporary basis, to ensure the development and protection of disadvantaged racial groups" (Article 2(2)).

Humanitarian and development assistance in the Draft Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent calls for the recognition of exclusion and discrimination and to take measures to address the special problem of caste-discriminated communities in situations of humanitarian crises, such as internal conflicts, wars, or natural disasters. The development and application of tools like social equity audits and caste analysis frameworks by humanitarian agencies is encouraged, besides straining their staff to responsibly monitor and counter untouchability and discrimination.¹⁴

Those affected by natural disasters have the right to request and receive such protection and assistance from their governments. Protection is not limited to securing the survival and physical security of those affected by natural disasters. It encompasses all relevant guarantees—civil and political as well as economic, social and cultural rights—attributed to persons by international human rights law.¹⁵

11 UN-NGO Impact Initiative Human Rights and Tsunami Recovery. Version: October 15, 2006

12 Universal Declaration of Human Rights, Article 25

13 UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, Principle 7

14 UN Principles and Guidelines for the Effective Elimination of Discrimination based on Work and Descent, Articles 56 & 57.

15 Introduction to the IASC Operational Guidelines on Human Rights and Natural Disasters, June 2006.

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